

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Lamont Campfield,
PETITIONER

VS

NO. 18-3696

Det. Raymond Dougherty
RESPONDENT

FILED

JUL 31

KATE BARKMAN, Clerk
By Dep. Clerk

NOTICE OF APPEAL

Notice is hereby given that I, Lamont Campfield, petitioner in the above captioned matter, hereby appeal to the United States Court of Appeals for the Third Circuit from the Order of the District Court denying a petition for habeas corpus relief on the 19th day of July, 19, 2019.

Lamont Campfield

Proof of Service

I, L. Campfield, hereby certify that I have, this day, sent a true and correct copy of the foregoing document to the parties listed below, by way of first-class U.S. Mail. As a *pro se* filing from a prisoner, this document must be back-dated to the date when it was given to prison authorities for mailing. See Smith v. Pennsylvania Bd. of Probation and Parole, 683 A.2d 278, 281, 546 Pa. 115 (Pa. 1996) adopting Houston v. Lack, 487 U.S. 266, 270-71, 108 S.Ct. 2379, 2382, 101 L.Ed.2d 245, 251-52 (1988) ("In Houston, the United States Supreme Court deemed an appeal by a *pro se* prisoner to be filed when it was given to prison authorities for mailing, and thus, essentially adopted a "prisoner mailbox" rule. * * * While the United States Supreme Court was interpreting a Federal Rule of Appellate Procedure, we believe that the observations and concerns voiced by the Court in Houston are equally applicable to *pro se* prisoners in our Commonwealth. The *pro se* prisoner's state of incarceration prohibits him from directly filing an appeal with the appellate court and prohibits any monitoring of the filing process. Therefore, we now hold that in the interest of fairness, a *pro se* prisoner's appeal shall be deemed to be filed on the date that he delivers the appeal to prison authorities and/or places his notice of appeal in the institutional mailbox. We warn, however, that this holding applies only to *pro se* petitioners who are incarcerated.").

EASTEN District of PENNSYLVANIA
CLERK of the United States District Court
Philadelphia Pa, 19106-9865

Respectfully submitted,

Mark Campfield
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Date: 7/24/19

Smart Communications/PADOC

SCI: Huntington

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OF CORRECTIONS



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X-RAY

To: Eastern District of Pennsylvania
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